

**N.D.A.G. Letter to Elhard (Aug. 2, 1985)**

August 2, 1985

Mr. Terry W. Elhard  
McIntosh County State's Attorney  
P.O. Box 248  
Ashley, ND 58413

Dear Mr. Elhard:

Thank you for your letter of July 24, 1985, requesting an opinion as to the political activity of a deputy sheriff seeking candidacy for elective office.

North Dakota law as found in N.D.C.C. § 44-08-19 prohibits public employees from engaging in political activities while on duty or in uniform. However, this statute specifically allows such employees to seek elective office so long as such political activity is not performed while the employee is on duty or is in uniform.

We are unable to find any specific statutory requirement that a public employee resign his public employment job in order to seek an elective office.

Sincerely,

Nicholas J. Spaeth

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